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New York, NY 10017

January 13, 2023
New Jersey Board of Public Utilities
Secretary of the Board
44 South Clinton Ave., 1st Floor
PO Box 350
Trenton, NJ 08625-0350

PRELIMINARY PUBLIC COPY

via: publicaccess.bpu.state.nj.us

RE: New Jersey Board of Public Utilities Docket No. QO22080481, In The Matter Of The Opening Of New Jersey's Third Solicitation For Offshore Wind Renewable Energy Certificates, Request for Information

Dear New Jersey Board of Public Utilities Staff,

Attentive Energy LLC ("Attentive Energy") respectfully provides the following responses to the New Jersey Board of Public Utilities' (the "Board" or the "NJBPU") Draft Solicitation Guidance Document ("Draft SGD") for New Jersey's Third Solicitation for Offshore Wind Renewable Energy Certificates ("NJ3 solicitation").¹

Attentive Energy is an indirect subsidiary of TotalEnergies Renewables USA, LLC ("TERUSA") and part of TotalEnergies SE ("TotalEnergies"), a global multi-energy company that produces and markets energy. TERUSA recently became one of the top five renewable energy producers in the U.S., and TotalEnergies has an 11-gigawatt ("GW") global offshore wind development portfolio and major interest in expanding within the U.S. market. TotalEnergies has an ambition to install 100 GW of global renewable power generation by 2030 and reach carbon neutrality in global business operations by 2050.

As of May 2022, Attentive Energy is the leaseholder of the 84,332-acre lease area OCS-A 0538 in the New York Bight, establishing its long-term presence in the region and commitment to deliver a community-first approach following years-long stakeholder engagement.

We applaud New Jersey's efforts to integrate the State's offshore wind ("OSW") transmission objectives with the regional grid's planning and development process, and we support the recent State Agreement Approach ("SAA") award to construct the onshore transmission facilities necessary to successfully deliver offshore wind to New Jersey customers. We offer for consideration the following comments and questions on topics included in the NJ3 solicitation Draft SGD, in an effort to

¹ Portions of this response contain confidential, proprietary, and/or commercially-sensitive information. Attentive Energy has submitted a Confidential Copy of this response that should be treated as a non-public record that is exempt from disclosure to the extent permitted under applicable laws and/or as expressly set forth in the Draft SGD. Attentive Energy has also submitted a redacted version of this response that should only be released to the public to the extent permitted under applicable laws and/or as expressly set forth in the Draft SGD. All notices or other communications regarding the confidential nature of this response should be directed to Attentive Energy's Senior Legal Counsel Murray Greene, murray.greene@totalenergies.com.

support the State’s goals to lower costs, increase project schedule viability, mitigate environmental impacts, and engage New Jerseyans with a community-minded approach.

Draft Solicitation Guidance Document Comments

Maximum Capacity Requirement & Importance of Supplier Diversity

Attentive Energy applauds the Board’s goal of awarding up to 4 GW in the NJ3 solicitation and recommends that the Board pursue awards that increase the diversity of OSW developers building projects for New Jersey, which will reduce portfolio execution risk for the State, as well as increase the magnitude and diversity of benefits to and partnerships with local suppliers, communities, and the workforce.

[Redacted]

Extended Bid Window

Attentive Energy has been working diligently in the years leading up to the 2022 BOEM lease auction – and well ahead of the issuance of the Board’s Draft SGD for the NJ3 solicitation – to engage with stakeholders and otherwise commence project development activities in the New York Bight, and we look forward to submitting a comprehensive, competitive proposal in a timely manner.

[Redacted]

Interconnection Plan

[Redacted]

It is Attentive Energy’s understanding that the Board requires Applicants to utilize the SAA solution and include an option in their Applications for the construction of the Prebuild Infrastructure that can accommodate four circuits for use by other developers from the Sea Girt National Guard Training Center (“NGTC”) to the Larrabee Collector Station.

Attentive Energy appreciates the Board’s vision to consolidate all HVDC circuits within one route to minimize community disruptions, permitting risks, and adverse environmental impacts, along with assumed cost reductions and schedule streamlining

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Offshore Transmission Network Ready Requirement

The Draft SGD Interconnection Plan additionally requires all Projects to include design components for future potential development of an offshore transmission network (“OTN”). As the language surrounding OTN readiness and defining the term OTN Ready continues to evolve within the OSW industry, it is important to note that a conclusive definition and standard has not yet been developed.

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In-State Spending Guarantee Shortfalls

The Draft SGD states that “if the in-State spending guarantees for the development and construction phases are not met, at least 90% of the shortfall must be applied to a reduction in the OREC price over the full OREC term” (pg. 23). Attentive Energy shares the goal of increasing in-State spending and benefits to the State. [REDACTED]

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New Jersey Wind Port and Supply Chain Localization

Attentive Energy has long supported New Jersey’s efforts in building the New Jersey Wind Port (“NJWP”) and sees it as a critical piece of infrastructure to support the offshore wind industry and grow a supply chain and workforce locally within New Jersey. It can serve the purpose of reducing project execution risks while lowering barriers for offshore wind development efforts to be performed within New Jersey.

[REDACTED]

[REDACTED]

Inflation Adjustment

Attentive Energy is supportive of the Inflation Adjustment mechanism proposed by the Board in the Draft SGD. We believe this mechanism is very helpful to mitigating inflation risk, which is an especially important consideration in recent years.

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Draft Solicitation Guidance Document Questions

Attentive Energy offers the following questions addressing specific sections and statements within the Draft SGD and subsequent attachments.

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We again thank the Board for the opportunity to provide feedback, and ask questions, in response to the NJ3 solicitation Draft SGD. We look forward to supporting New Jersey and its communities as a long-term partner. If you have any additional questions or seek clarification to any of our responses, please do not hesitate to contact me at christen.wittman@totalenergies.com or (508) 272-6987.

Sincerely,


Christen Wittman
Project Director